

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS THE 5TH SEPTEMBER 1986.

Present : Hon'ble Justice K.S. Puttaswamy .. Vice-Chairman

Hon'ble Shri P. Srinivasan .. Member

Transferred Application No.786/86

S. Nagaraj
Artist
National Tuberculosis Institute
No.8, Bellary Road,
Bangalore - 560 003

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Applicant

(Shri M.N. Narayan . Advocate)

Vs.

1. The Union of India by its
Secretary to Govt. of India,
Ministry of Health and
Family Welfare
Nirman Bhavan
New Delhi - 11.

2. Director General of Health
Service, Govt. of India,
Nirman Bhavan,
New Delhi - 11.

3. The Director,
National Tuberculosis Institute,
No.8, Bellary Road,
Bangalore-560 003.

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Respondents

(Shri M.S. Padmarajaiah . Advocate)

The application has come up for hearing before Court today.

Member (A) made the following:

O R D E R

The applicant filed writ petition No.16647/81 before the Karnataka High Court which on transfer has been taken on the file of the Tribunal as Application No.786/86.

The applicant who is working as Artist in the National Tuberculosis Institute, Bangalore, has in his application prayed that we should direct the respondent No.2., viz., Director General of Health Services (DGHS)

of

New Delhi, "to consider and dispose of the petitioner's application for grant of special pay at the earliest." The learned counsel for the applicant Shri H.N. Narayan has drawn our attention to the recommendation made by the Deputy Director (Administration) in the Office of the DGHS (Annexure D to the application) for a special pay of 20% to be sanctioned to the applicant in terms of F.R. 9(25). The recommendation mentions that the applicant who, as an Artist was only expected to "prepare drawings and diagrams, art, design, lettering in different styles and photography", was also entrusted with additional work of "maintenance of audio-visual and publicity equipment and handling it efficiently and properly". It was in respect of this additional work, special pay was recommended to him.

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The complaint of the applicant is that no action has been taken on above recommendation. He wants us to direct the authority concerned to consider this recommendation alongwith the applicant's application for special pay and to take a quick decision.

We agree that the applicant is entitled to an early decision in respect of his claim for special pay. Shri Padmarajaiah, learned senior Central Government Standing Counsel appearing for the respondent, hotly contends that the applicant is not entitled to any special pay. We do not propose to express any opinion on this matter now. But the DGHS is bound to consider the recommendation and the applicant's application and come to a decision early and allow all financial benefits to the applicant on the basis of such a decision. We, therefore, direct the DGHS to take a decision within three months from the date of receipt of this order by the respondents.

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